

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

RODDIE MELVIN,

Plaintiff,

v.

Case No. 1:17-cv-00789-CC-JCF

FEDERAL EXPRESS CORPORATION,

Defendant.

**DEFENDANT’S OPPOSITION TO PLAINTIFF’S MOTION TO EXCEED
PAGE LIMITATION**

Defendant, Federal Express Corp. (FedEx), submits this response in opposition to Plaintiff’s motion to exceed the page limitation (Doc. No. 79) explaining its reasoning for the objection.

FedEx cooperated with Plaintiff having previously agreed to multiple extensions of time for Plaintiff’s opposition. Plaintiff now seeks a 60% increase in the page allotment for memorandums. *First*, this case is a non-complex routine employment discrimination lawsuit with clearly definable claims – age, race and relation. The non-complexity of this case is illustrated by the fact that FedEx was fully able to brief the legal arguments within the “mere 25 pages” (Plaintiff Mot. p. 2) allowed by the local rules. There is simply nothing complex about this case that

warrants a 60% increase in the page allotment. *Second*, there is only one plaintiff and one defendant. *Third*, although FedEx recognizes many depositions were taken, and a lot of matters were testified to, Plaintiff's reason for the needed page extension based on volume of facts is not persuasive. The local rules limiting briefs to 25 pages does not apply to a respondent's counter statement of facts or statement of additional facts. *See* LR 56.1.B(2). Plaintiff is free under LR 56.1 to address whatever material facts he deems pertinent without an increase in the size of his brief. Not every fact is a material fact. Either material facts exist creating a triable issue or they do not. As illustrated by FedEx in its 25 page brief, brevity is what will assist this court in "reaching a proper ruling" (*Id.* p. 2). Finally, there is nothing special about plaintiff, despite his 33 years with FedEx, that would justify ignoring this Court's well thought out rationale for limiting memorandums.

Respectfully submitted,

s/Frederick L. Douglas

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CERTIFICATE OF SERVICE

The Undersigned hereby certifies that on May 4, 2018, a copy of Defendant's Opposition to Plaintiff's Motion to Exceed Page Limitation, via ECF upon:

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s/ Frederick L. Douglas

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Doc. no. 1275003